

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; c) does not present any additional claims without canceling a corresponding number of finally rejected claims; or d) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

1. Rejection under 35 U.S.C §103(a) as unpatentable over Brown in view of Sarno

Claims 1, 3, 4, 12 - 14 are rejected under 35 U.S.C. 103(a) as unpatentable over Brown (U.S. Patent No. 5,749,219) in view of Sarno (U.S. Patent No. 6,024,641). The rejection is respectfully traversed.

Brown teaches a method of conducting an on-line auction with bid pooling that permits individual bidders to pool bids during a bidding session. The auction is conducted over a computer network that includes a central computer, a number of remote computers and communication lines connecting the remote computers to the central computer. With reference to Figure 2, an account creation computer 28 has an electronic mail server E2 for sending new account confirmation messages 34 to the bidder 38 at a remote computer 30. The remote computer 30 has an electronic mail client E3 for receiving and confirming new account confirmation messages 34.

Sarno teaches a lottery gaming system that provides a game on a computer network that has a game provider computer and a game player recipient processor.

As a preliminary matter, currently amended claim 1 includes features of previously amended claim 5.

Claim 1 is directed to A lottery system utilizing an electronic mail, comprising: means for uniquely allocating an electronic mail address to each of participants; means for sending a first electronic mail to each of said participants, in which the electronic mail address is affixed as a unique access key to each of said participants; means for recognizing an application for a lottery from each of said participants by receiving a second electronic mail sent back to said electronic mail address; and means for notifying each one of said participants who sent back the second electronic mail to the electronic mail address of the result of said lottery.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 1 as amended. Specifically, it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the allocating means, the sending means, the recognizing means and the notifying means as now recited in claim 1.

In addition, McArdle which is cited against original claim 5, teaches a system and methodology for a messaging server-based management and enforcement of crypto policies. However, McArdle fails to disclose, teach or suggest the features that “the electronic mail address is affixed as a unique access key to each of said participants.”

Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 3, 4, 12, and 13 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite. For instance, claim 4 recites recognition of the participants for the lottery is performed with the electronic mail address of each of the participants.

Claim 14 is canceled and therefore the rejection as applied thereto is now moot.
Withdrawal of the rejection is respectfully requested.

2. Rejection under 35 U.S.C §103(a) as unpatentable over Brown in view of Sarno and further in view of Petrecca

Claim 2 is rejected under 35 U.S.C. 103(a) as unpatentable over Brown and Sarno in view of Petrecca (U.S. Patent No. 6,409,593). The rejection is respectfully traversed.

Petrecca teaches a method of conducting a sweepstakes drawing over the Internet.

Claim 2 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that claim 2 is allowable at least for the reason claim 1 is allowable as well as for the features it recites. Withdrawal of the rejection is respectfully requested.

3. Rejection under 35 U.S.C §103(a) as unpatentable over Brown and Sarno in view of McArdle

Claims 5-9 and 15 are rejected under 35 U.S.C. 103(a) as unpatentable over Brown and Sarno in view of McArdle et al. (U.S. Patent No. 6,442,686).

McArdle teaches a system and methodology for a messaging server-based management and enforcement of crypto policies.

Claims 6-9 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Claims 5 and 15 are canceled and therefore the rejection as applied thereto is now moot. Withdrawal of the rejection is respectfully requested.

4. Rejection under 35 U.S.C §103(a) as unpatentable over Brown in view of Sarno and further in view of Kamasaka et al.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as unpatentable over Brown and Sarno in view of Kamasaka et al. (U.S. Patent No. 6,240,455). The rejection is respectfully traversed.

Claim 10 is directed to A lottery system utilizing an electronic mail, comprising: means for uniquely allocating a keyword to be entered in a page of a URL, to each of participants; means for sending an electronic mail in which the keyword is affixed as a unique access key, to each of the participants; means for recognizing an application from each of said participants when said participant accesses the page of said URL; and means for notifying each of said participants of the result of the lottery.

Kamasaka is directed to an Internet server providing link destination deletion, alteration and addition.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 10 as amended. Specifically, it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests sending means, recognizing means and the notifying means as now recited in claim 10. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 10 is allowable over the applied art.

Claim 11 depends from claim 1 and includes all of the features of claim 10. Thus, it is respectfully submitted that the dependent claim 11 is allowable at least for the reason claim 10 is allowable as well as for the features it recites. Withdrawal of the rejection is respectfully requested.

5. Newly Added Claims

Claims 16 and 17 have been added so as to present rejected claims in better form. Specifically, claim 16 corresponds to claim 15 which is now cancelled, and claim 17 corresponds to

previously amended claim 10, and recites one of the features of previously amended claim 10. Newly-added claims 16 and 17 also include features not shown in the applied art as discussed above.

6. Conclusion

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

March 11, 2005

By:



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Registration No.: Limited Recognition Under
37 C.F.R. § 10.9(b)

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